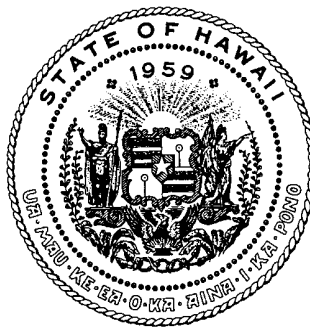


Annual Report to the Twenty-First Legislature  
Regular Session of 2002

**ACTIVITIES OF THE  
Kaneohe Bay Regional Council**



Submitted on behalf of the  
Kaneohe Bay Regional Council

by the

Department of Land and Natural Resources  
State of Hawaii  
in response to

Section 200D-5, Hawaii Revised Statutes  
December 2001

# KANE'OHE BAY REGIONAL COUNCIL ANNUAL REPORT FOR THE CALENDAR YEAR 2001

## INTRODUCTION

This annual report is prepared in accordance with Chapter 200D, Hawaii Revised Statutes (HRS), which establishes the Kane'ohe Bay Regional Council. Section 200D-5, HRS, provides for annual reporting to the Governor and Legislature.

As required by law, the Kane'ohe Bay Regional Council (Council) held public meetings for the calendar year 2001 as follows: January 3rd, July 5th, October 3rd, and November 28th. Matters of business discussed during these meetings are reflected in the agendas and minutes for same, copies of which are available through the Department of Land and Natural Resources' Division of Boating and Ocean Recreation (DOBOR). All meetings were conducted in accordance with Chapter 92, HRS. A quorum of Council members was present at the January 3rd, July 5th, and November 28th meetings. The October 3rd meeting was for discussion purposes only due to a lack of quorum.

## SUPPORT TO THE KANE'OHE BAY REGIONAL COUNCIL

As in 1999 and 2000, DOBOR provided the Council with administrative support for its meetings. In addition, the Department of Land and Natural Resources Division of Aquatic Resources (DAR) provided support to the Council's Fishing Panel. The Fishing Panel meets monthly and is chaired by the Council's Fishing representative, Kelvin Ching. Support from both DOBOR and DAR is, as always, very much appreciated.

## SUMMARY OF ACTIONS

During the calendar year 2001, the Council was guided by Section 200D-3, HRS, which sets forth the powers, duties, and functions of the Council.

### 1. Administrative Rules Relating to Kane'ohe Bay

As in 1998, 1999, and 2000, the primary emphasis of the Council in 2001 was to encourage and facilitate development and completion, by DOBOR, of revised administrative rules relating to Kane'ohe Bay.

A. Recreational Thrill Craft (also known as Personal Water Craft or PWC)  
The Council voted to amend the Kane'ohe Bay Master (Master Plan) in order to allow recreational PWC's limited use of Kane'ohe Bay. The amendment to the Master Plan authorizes a designated riding area in the mouth of the Bay so as to minimize conflict with other uses. Recognizing that federal law prohibits certain restrictions on the

use of launching ramps and similar facilities built with federal funds, the Council authorized the use of Heeia Kea Small Boat Harbor by recreational PWC operators, but only for purposes of launching and accessing the designated riding area via the most direct route to and through the sampan channel.

A motion was considered to recommend establishing the designated riding area as follows: The boundary line running northeast to southwest should coincide with a line from Pyramid Rock to Kaolo Point; the range markers for the sampan channel should mark the southern boundary; the range markers for the main ship channel should mark the northern boundary; and there should be no seaward boundary. This motion passed with the fishing representative dissenting.

At its November 28th meeting, the Council also voted to recommend to DOBOR that recreational PWC operators be permitted to launch from designated facilities at Marine Corps Base Hawaii-Kane'ohe Bay for the limited purpose of accessing the designated riding area via the Crash Boat Channel.

#### B. Speed Limits

Speed limits on the Bay has been a controversial subject with a history going back to the creation of the Master Plan. The Council considered the speed limit issue as it relates to water skiing, wake boarding, seaplanes, and the speeds at which wakes are generated by a variety of different hull forms. The Council also considered testimony by the Department of Land and Natural Resources' Division of Conservation and Resources Enforcement (DOCARE) to the effect that numerical speed limits are unenforceable and unnecessary in light of existing "slow, no wake" rules. The Council voted not to recommend the adding of speed limits to the proposed rules for the Bay.

### 2. Other Matters

#### A. Hazardous Material (HAZMAT) Response Capability

The Council solicited information on oil and other hazardous materials spill response capability in Kane'ohe Bay and received credible testimony to the following effect:

- i. DOBOR has an oil sweep and a supply of absorbent pads at Heeia Kea Pier. Access to these is limited to the Harbor Master during working hours.
- ii. The Hawaii Institute of Marine Biology at Moku o Loe (Coconut Island) has an oil boom and other containment equipment, but access is limited.
- iii. Marine Corps Base Hawaii (Kane'ohe) has a 24-hour HAZMAT response team capable of responding within 10 minutes anywhere in the Bay. However, there is no public hot line for this team. Contact must be made through the Honolulu Fire Department or U.S. Coast Guard. The

requirement for communications relay could significantly increase response time.

B. Public Safety

The Council has asked that DOCARE make public safety in Kane'ohe Bay a top priority on Memorial Day weekend and other holiday weekends, particularly at the Sand Bar, which is the most congested recreational boating area on the Bay.

C. Mooring Area B

In response to a request by the Board of Land and Natural Resources made at its October 26, 2001 meeting to consider draft administrative rules proposed by DOBOR, the Council revisited, at its November 28, 2001 meeting, the issue of the Master Plan's proposed elimination of Mooring Area B. After extensive discussion, the Council passed unanimously the following motion:

That Mooring Area B may be retained, if deemed necessary by the Division of Boating and Ocean Recreation, provided that no more than 16 moorings be permitted at any one time, or such other reasonable number as may be accommodated such that all moored vessels remain entirely within the area regardless of wind direction, and that no vessel be permitted to moor therein that has an overall length greater than 85 feet or an extreme beam greater than 30 feet.

Respectfully submitted

Kurt K. Mench  
Vice Chair, Kane'ohe Bay Regional Council

